

DECLARATION Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **SYSTEMS AND METHODS TO IDENTIFY AND DISABLE RE-USED SINGLE USE DEVICES BASED ON DETECTING ENVIRONMENTAL CHANGES** the specification of which

(Check One) ☐ is attached hereto OR
☒ was filed on September 7, 1999 as United States Application Serial No. 09/391,122, or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

Send Correspondence to: David T. Burse	LYON & LYON LLP 633 W Fifth St., Suite 4700 Los Angeles, CA 90071	Direct Telephone calls to: (714) 751-6606
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

	FULL NAME OF INVENTOR	FIRST Name Robert	MIDDLE Initial R.	LAST Name Burnside	
INVENTOR'S SIGNATURE <u>Robert R. Burnside</u>				DATE <u>1/26/00</u>	
201	RESIDENCE & CITIZENSHIP	City Mountain View	State or Foreign Country California	Country of Citizenship United States	
	POST OFFICE ADDRESS	1226 Nilda Avenue	City Mountain View	State or Country California	Zip Code 94040
	FULL NAME OF INVENTOR	FIRST Name David	MIDDLE Initial K.	LAST Name Swanson	
INVENTOR'S SIGNATURE <u>David K. Swanson</u>				DATE: <u>1-26-00</u>	
202	RESIDENCE & CITIZENSHIP	City Mountain View	State or Foreign Country California	Country of Citizenship United States	
	POST OFFICE ADDRESS	877 Heatherstone Way, #705	City Mountain View	State or Country California	Zip Code 94040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
Washington, D.C. 20231

**POWER OF ATTORNEY (REVOCATION OF PRIOR POWERS) AND PROSECUTION
BY ASSIGNEE UNDER 37 C.F.R. § 3.71**

Sir:

SciMed Life Systems, Inc., a Minnesota Corporation, the assignee of the entire right, title and interest of patent applications listed below, under 37 C.F.R. § 3.71 hereby revokes all powers of attorneys previously given in the below-identified patent applications and hereby appoints all attorneys associated with:

Customer Number 23639

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with full powers of substitution and revocation, to prosecute this application and transact all matters in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefore before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

Correspondence Address

Please change the correspondence address for the below-identified patent applications to the customer number 23639, and direct all written communications relative to such applications to:

David T. Burse
Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, CA 94111-4067

Please direct all telephone communications to David T. Burse at (650) 849-4400.

Patent Applications

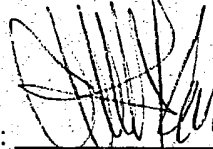
<i>Serial Number</i>	<i>Filing Date</i>	<i>First Named Inventor</i>	<i>Attorney Docket No.</i>
09/189,918	11-12-98	James G. Whayne, et al	233/053
09/391,122	09-07-99	Robert Burnside, et al	243/153
09/391,025	09-07-99	Robert Burnside	243/154
09/619,857	07-20-00	Anant V. Hedge, et al	248/097
09/496,836	02-02-00	Dorin Panescu, et al	249/101
09/684,559	10-05-00	David K. Swanson, et al	251/230
09/566,175	05-05-00	Robert F. Bencini	251/242
09/609,604	06-30-00	Robert Burnside, et al	252/232
10/147,179	10-24-01	Dorin Panescu, et al	258/208
09/713,749	11-14-00	Daniel M. LaFontaine	259/012
09/854,329	05-11-01	Miriam Taimisto	259/157
09/903,112	07-09-01	Katie Messing, et al	259/158
09/896,730	06-28-01	Katie Messing	259/159
09/886,754	06-20-01	Thomas P. Coen, et al	260/048
10/098,661	03-15-02	Katie Messing, et al	261/181
09/876,009	06-06-01	Anant V. Hedge	262/205
09/935,380	08-22-01	Robert F. Bencini, et al	262/206
09/814,142	03-20-01	Verivada Chandrasekaran, et al	263/102
09/903,111	07-09-01	Katie Messing, et al	264/119
09/903,402	07-09-01	Katie Messing, et al	264/120
09/850,849	05-07-01	Robert Burnside, et al	264/131
10/012,293	11-09-01	Dorin Panescu	265/195
10/139,091	05-03-02	David K. Swanson, et al	266/296
10/066,054	01-31-02	Dorin Panescu	267/107
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09/975,393	10-10-01	Josef V. Koblish	268/214
09/996,325	11-27-01	David K. Swanson, et al	269/128

10/109,817	03-29-02	Steve Morency, et al	269/212
10/039,415	01-04-02	James G. Whayne, et al	270/271
10/139,994	05-06-02	Dorin Panescu	271/142
10/173,469	06-14-02	Robert F. Bencini	271/157
10/154,011	05-20-02	David K. Swanson	271/276
10/188,487	07-02-02	David K. Swanson	272/233
10/214,441	08-06-02	N. Parker Willis	273/291

I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent applications identified above from the inventor(s) to the assignee.

To the best of the undersigned's knowledge and belief, title is in the assignee identified above.
Furthermore, the undersigned is empowered to sign this document on behalf of the assignee.

SciMed Life Systems, Inc.



Dated: 10-16-02

By: _____

Name: Albert K. Kau

Title: Patent Counsel

Address: One SciMed Place

Maple Grove, MN 55311-1566



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APRIL 13, 2000

PTAS

LYON & LYON LLP
MICHAEL J. BOLAN
633 WEST FIFTH STREET, SUITE 4700
LOS ANGELES, CA 90071-2066



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**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/31/2000

REEL/FRAME: 010524/0737
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BURNSIDE, ROBERT A.

DOC DATE: 01/26/2000

ASSIGNOR:

SWANSON, DAVID K.

DOC DATE: 01/26/2000

ASSIGNEE:

SCIMED LIFE SYSTEMS, INC.
ONE SCIMED PLACE
MAPLE GROVE, MINNESOTA 55311-1566

SERIAL NUMBER: 09391122

FILING DATE: 09/07/1999

PATENT NUMBER:

ISSUE DATE:

MAURICE CARTER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

RECEIVED
APR 21 2000
U.S. PROSECUTION

02-08-2000

FORM PTO-1595
1-31-92

Docket No. 243/153

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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Robert A. Burnside and David K. Swanson Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party: Name: <u>Scimed Life Systems, Inc.</u> Internal Address: City: _____ State: _____ Zip: _____ Street Address: <u>One Scimed Place</u> City: <u>Maple Grove</u> State: <u>MN</u> Zip: <u>55311-1566</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>January 26, 2000</u>	

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No(s): <u>09/391,122</u> B. Patent No(s): _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Michael J. Bolan</u> Internal Address: <u>LYON & LYON LLP</u> <u>633 West Fifth Street, Suite 4700</u> <u>Los Angeles, CA 90071-2066</u>	6. Total number of applications and patents involved: 7. Total fee (37 CFR 3.41): \$ 40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge this Deposit Account if any additional fee is required 8. Deposit Account Number: <u>12-2475</u>
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9. Statement and signature: To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. _____ Michael J. Bolan, Reg No. 42,339 Date: <u>January 27, 2000</u> Total number of pages including cover sheet: _____

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

ASSIGNMENT

WHEREAS, we, Robert A. Burnside, a citizen of the United States, residing at 1226 Nilda Avenue, Mountain View, California 94040, and David K. Swanson, a citizen of the United States, residing at 877 Heatherstone Way, #705, Mountain View, California 94040, have invented "SYSTEMS AND METHODS TO IDENTIFY AND DISABLE RE-USED SINGLE USE DEVICES BASED ON DETECTING ENVIRONMENTAL CHANGES" and have executed an application for a United States patent disclosing and identifying the invention, which application has been filed and assigned U.S. serial No. 09/391,122; and

WHEREAS, SCIMED Life Systems, Inc., a Minnesota corporation, having a place of business at One SCIMED Place, Maple Grove, MN 55311-1566, is desirous of acquiring the right, title and interest in and to said invention and in and to any Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions; and

WHEREAS, Boston Scientific Limited, a corporation formed under the laws of the Republic of Ireland, having a place of business at Financial Services Centre, P.O. Box 111, Bishop's Court Hill, St. Michael, Barbados, West Indies, is desirous of acquiring the right, title and interest in and to said invention and in and to any Letters Patents to be granted and issued therefor in all countries foreign to the United States of America.

NOW THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, Robert R. Burnside and David K. Swanson, as co-inventors, do hereby sell, assign, transfer and set over unto the said SCIMED Life Systems, Inc., its successors and assigns, the full right, title and interest in and to said invention, and in and to any and all Letters Patents to be granted and issued therefor in the United States of America, its

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243/153

territories and possessions, and I hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said SCIMED Life Systems, Inc., its successors and assigns, in accordance with this Assignment; and

FURTHER THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, Robert R. Burnside and David K. Swanson as co-inventors do hereby sell, assign, transfer and set over unto the said Boston Scientific Limited, its successors and assigns, the full right, title and interest in and to any and all Letters Patent to be granted and issued said invention in all countries foreign to the United States of America including any and all priority rights arising under International Treaty and/or Convention.

1/26/00
Date

Robert R. Burnside
Robert R. Burnside

1-26-00
Date

David K. Swanson
David K. Swanson